

## UNITED STATES DISTRICT COURT

for the  
District of South DakotaIn the Matter of the Tracking of  
(Identify the person to be tracked or describe  
the object or property to be used for tracking)  
21-137-04

Case No. 21-mj-122

## APPLICATION FOR A TRACKING WARRANT "REDACTED"

I, a federal law enforcement officer or attorney for the government, have reason to believe that the person, property, or object described above has been and likely will continue to be involved in one or more violations of 21 U.S.C. § 841(a)(1)&846. Therefore, in furtherance of a criminal investigation, I request authority to install and use a tracking device or use the tracking capabilities of the property or object described above to determine location. The application is based on the facts set forth on the attached sheet.

- ☒ The person, property, or object is located in this district. ☐ The activity in this district relates to domestic or international terrorism.
- ☐ The person, property, or object is not now located in this district, but will be at the time of execution. ☐ Other:

The tracking will likely reveal these bases for the warrant under Fed. R. Crim. P. 41(c): (check one or more)

- ☒ evidence of a crime; ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime; ☐ a person to be arrested or a person who is unlawfully restrained.

- ☒ I further request, for purposes of installing, maintaining or removing the tracking device, authority to enter the following vehicle or private property, or both:

[REDACTED]

- ☒ Delayed notice of 45 days (give exact ending date if more than 30 days: 09/09/2021) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

  
Applicant's signature

Brandon Purcell, DEA SA

Applicant's printed name and title

Sworn to before me and signed in my presence.

Date: 8-3-21

City and state: Sioux Falls, SD

  
Judge's signature

Veronica L. Duffy, United States Magistrate Judge  
Printed name and title

## UNITED STATES DISTRICT COURT

for the

District of South Dakota

In the Matter of the Tracking of  
(Identify the person, property, or object to be tracked)

21-137-04

Case No.

21-mj-122

## TRACKING WARRANT "REDACTED"

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government shows there is reason to believe that the person, property, or object described above has been involved in and likely will continue to be involved in the criminal activity identified in the application, and ☒ is located in this district; ☐ is not now located in this district, but will be at execution; ☐ the activity in this district relates to domestic or international terrorism; ☐ other:

I find that the affidavit(s), and any recorded testimony, establish probable cause to believe that  
(check the appropriate box) ☐ using the object ☐ installing and using a tracking device  
to monitor the location of the person, property, or object will satisfy the purpose set out in Fed. R. Crim. P. 41(c) for issuing a warrant.

☒ I find entry into the following vehicle or onto the following private property to be necessary without approval or knowledge of the owner, custodian, or user of the vehicle or property for installing, maintaining, and removing the tracking device: [REDACTED]

**YOU ARE COMMANDED** to execute this warrant and begin use of the object or complete any installation authorized by the warrant by 8-17-21 (no later than 14 days from the date this warrant was issued) and may continue to use the device until 10-1-2021 (no later than 45 days from the date this warrant was issued). The tracking may occur within this district or another district. To install, maintain, or remove the device, you may enter (check boxes as appropriate)

☒ into the vehicle described above ☐ onto the private property described above  
☐ in the daytime 6:00 a.m. to 10:00 p.m. ☐ at any time in the day or night because good cause has been established.

Within 14 calendar days after the use of the tracking device has ended, the officer executing this warrant must both return it to (United States Magistrate Judge) \_\_\_\_\_ and — unless delayed notice is authorized below — serve a copy of the warrant on the person who, or whose property or object, was tracked.

☒ Pursuant to 18 U.S.C. § 3103a(b)(1), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and this warrant prohibits the seizure of any tangible property or any wire or electronic communications (as defined in 18 U.S.C § 2510). I therefore authorize the officer executing this warrant to delay notice to the person who, or whose property or object, will be tracked (check the appropriate box)

☒ for 45 days (not to exceed 30) ☐ until, the facts justifying, the later specific date of \_\_\_\_\_

Date and time issued:

8-3-21 at 1:15pm  
CDT

Judge's signature

City and state: Sioux Falls, SD

Veronica L. Duffy, United States Magistrate Judge

Printed name and title

Case No. \_\_\_\_\_

## Return of Tracking Warrant With Installation

1. Date and time tracking device installed: \_\_\_\_\_
2. Dates and times tracking device maintained: \_\_\_\_\_
3. Date and time tracking device removed: \_\_\_\_\_
4. The tracking device was used from *(date and time)*: \_\_\_\_\_  
to *(date and time)*: \_\_\_\_\_

## Return of Tracking Warrant Without Installation

1. Date warrant executed: \_\_\_\_\_
2. The tracking information was obtained from *(date and time)*: \_\_\_\_\_  
to *(date and time)*: \_\_\_\_\_

## Certification

I declare under the penalty of perjury that this return is correct and was returned along with the original warrant to the designated judge.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Executing officer's signature*\_\_\_\_\_  
*Printed name and title*

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

In the Matter of the Tracking of  
21-137-04

) AFFIDAVIT for SEARCH  
) WARRANT "REDACTED"  
)  
) Case No. 4:21-mj-122

**INTRODUCTION AND AGENT BACKGROUND**

I, Special Agent Brandon Purcell, being first duly sworn, hereby depose and state as follows:

1. I am a Special Agent with the United States Department of Justice, Drug Enforcement Administration (DEA), and have been so employed since July 2020. I am currently assigned to the DEA Sioux Falls Resident Office (SFRO) and empowered to conduct investigations of drug trafficking and money laundering violations under Titles 18 and 21 of the United States Code. I have received 16 weeks of specialized training in Quantico, Virginia, pertaining to drug identification and drug trafficking, undercover operations, and electronic and physical surveillance procedures. I have been a law enforcement officer for approximately 10.5 years in which I have received training for and conducted investigations related to narcotics, vice activities, homicide, economic crimes, and public corruption crimes.

2. Prior to becoming a DEA Special Agent, I was a Special Agent with the United States Department of Homeland Security/Homeland Security Investigations. Prior to that, I was a Special Agent with the Florida Department of Law Enforcement and assigned to the DEA as a Task Force Officer (TFO). I have training and experience concerning investigations of federal and state narcotics laws, and have participated in the investigation of such state and federal violations on numerous occasions. I have assisted in the preparation and execution of numerous state and federal search warrants. I have attended and completed courses of instruction relating to investigative techniques in narcotics and financial investigations. I have received training, both formal and informal, in drug trafficking and money laundering investigations. I have participated in and conducted investigations resulting in the arrests of individuals who received and distributed controlled substances, and the seizures of illegal narcotics. Further, in connection with these and other narcotics cases, I have conducted follow-up investigations relating to the identification of co-conspirators through the use of ledgers, telephone bills, records and photographs.

3. I have participated in investigations involving the interception of wire communications, the interception of electronic communications, and the use of video surveillance. I am familiar with the manner in which narcotics traffickers and money launderers conduct their business, including, but not limited to, their methods of importing and distributing controlled substances, their use of cellular telephones, pay phones, prepaid calling cards and digital display paging devices, and their use of numerical codes and coded and/or cryptic language, words, and references to conduct their transactions.

4. As part of my duties as a DEA Special Agent, I have been involved in the debriefing of defendants, witnesses and informants, as well as others who have knowledge of the distribution and transportation of controlled substances. Further, I have participated in numerous narcotics investigations in which I have conducted or participated in physical surveillance, electronic surveillance, controlled buy/transactions, undercover operations and the execution of search warrants. Specifically, I have supported Title III investigations involving the use of electronic communications interceptions through monitoring, technical operations, surveillance and arrests.

5. Based on my training, experience, and participation in investigations of state and federal narcotics violations, I am familiar with drug organizations and know that such organizations will commonly compartmentalize members in an effort to limit individual knowledge of the operations of the organization to as few persons as possible. To minimize their risk of apprehension, leaders of drug organizations commonly attempt to distance themselves from drugs and proceeds, leaving subordinates to drive vehicles and move drugs and drug proceeds from place to place. Through these investigations, my experience and training, and conversations with other law enforcement personnel, I have become familiar with the methods used by drug traffickers to smuggle and safeguard drugs, to distribute drugs, and to collect and launder drug-related funds. I am particularly familiar with methods employed by larger drug organizations and the sophisticated tactics utilized. These tactics include the use of cellular telephone technology, text messaging, counter-surveillance, elaborately planned smuggling schemes tied to legitimate businesses, false or fictitious identities, and coded communications and conversations. This knowledge has been particularly useful and relevant to this investigation.

6. Further, based on my training and experience in investigating drug trafficking offenses, I have interviewed numerous criminals regarding the transportation and sales of drugs. During many of these investigations, the criminals have admitted to their modus operandi and their utilization of telephones. Based on my experience in conducting these investigations, I have developed skills in this area and can determine when telephonic information devices are essential to a successful investigation.

7. I know, from training and experience in the field of drug enforcement that individuals involved in crimes of possession for sale, sales, and transportation of controlled substances (including crystal methamphetamine, heroin, fentanyl and cocaine), often utilize cellular telephones and text messaging to arrange their crimes or coordinate with co-conspirators. Numerous times, drug dealers place these telephones in the names of family, friends, or fictitious names, and/or purchase unsubscribed prepaid cellular telephones to avoid detection. Another technique often used by drug traffickers to avoid detection is the use of coded conversations and vague terminology to discuss drug transactions. For example, rather than use the words "drugs," "narcotics," "cocaine," or "methamphetamine," drug dealers will use a variety of different code words. Similarly, drug traffickers will often use vague terms in order to avoid talking about specific locations, currency, and drug amounts.

8. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

9. Through this affidavit, your Affiant is requesting a warrant be issued for the installation and monitoring of a GPS tracking device for the following vehicle: [REDACTED] (hereinafter **THE SUBJECT VEHICLE**), is suspected of being used in furtherance of 21 U.S.C. §§ 841 and 846 (conspiracy and distribution of controlled substances).

10. I seek authority under 18 U.S.C. § 3117 and Rule 41(b)(4) of the Federal Rules of Criminal Procedure to place a tracking device on **THE SUBJECT VEHICLE**, within 14 days from the date the warrant is issued. Further, I seek authority to monitor **THE SUBJECT VEHICLE**'s whereabouts, wherever it may be found, via the tracking device for a period not to exceed 45 days from the date of issuance of the warrant, subject to any Court authorized extensions thereof.

11. I further state that there is probable cause to believe that the installation of a tracking device in or on **THE SUBJECT VEHICLE**, and use of the tracking device, will lead to evidence, fruits, and instrumentalities of the aforementioned crimes as well as to the identification of individuals who are engaged in the commission of those and related crimes.

12. Because this affidavit is being submitted for the limited purpose of securing a search warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only those facts that I believe are necessary to establish probable cause to believe that evidence of violations of United States Code are located at the premises mentioned in this affidavit.

13. I have received information from other law enforcement officers and sources of information by either verbal or written report. The officers and sources providing information may have received the information by way of personal knowledge or from another source.

**PROBABLE CAUSE**

14. In April 2021, members of Drug Enforcement Administration (DEA) Sioux Falls Resident Office (SFRO) cultivated a Confidential Source [REDACTED]

15. In May 2021, at the direction of controlling agents, [REDACTED]

16. Agents presented DOJ administrative subpoenas to Verizon Wireless and obtained subscriber information and call detail records (CDRs) pertaining to telephone number [REDACTED]

17. Analysis of [REDACTED]

[REDACTED]

18. Based on telephone number deconflictions, [REDACTED]

[REDACTED]

19. In follow-up debriefings with controlling agents, [REDACTED]

[REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED]

20. [REDACTED]

[REDACTED]

21. [REDACTED]

22. [REDACTED]

23. On June 1, 2021, [REDACTED]

24. On June 2, 2021, [REDACTED]

25. On June 3, 2021, members of the DEA SFRO utilized [REDACTED]

26. [REDACTED]

27. In anticipation of the controlled purchase from [REDACTED], a combination of agents established physical surveillance in close proximity to [REDACTED]. During the surveillance, agents/detectives observed [REDACTED]

28. Agents maintained surveillance of [REDACTED]

[REDACTED]

29. Additionally, during this operation, in the presence of controlling agents, [REDACTED]

[REDACTED]

30. On June 4, 2021, members of the DEA SFRO utilized [REDACTED]

[REDACTED]

31. [REDACTED]

[REDACTED]

32. Shortly thereafter, [REDACTED]

[REDACTED]

33. [REDACTED]

[REDACTED]

[REDACTED]

34. In anticipation of the controlled purchase from [REDACTED]

[REDACTED]

35. [REDACTED]

[REDACTED]

36. Shortly thereafter, [REDACTED]

[REDACTED]

37. In a follow-up call, [REDACTED]

[REDACTED]

38. Upon arrival at the Flying J, [REDACTED]

[REDACTED]

[REDACTED]

39. Agents observed [REDACTED]

[REDACTED]

40. Simultaneously, agents observed **THE SUBJECT VEHICLE**, driven by [REDACTED]

[REDACTED]

41. Following the transaction, [REDACTED]

[REDACTED]

42. A review of [REDACTED]

[REDACTED]

43. Analysis of [REDACTED]

[REDACTED]

44. On June 17, 2021, SFADTF Detective Dan Christiansen conducted an interview of [REDACTED]

[REDACTED]

[REDACTED]

45. On June 22, 2021, DEA SA Lance Wheeler conducted surveillance at the [REDACTED]

46. On June 25, 2021, agents initiated electronic surveillance at [REDACTED]

47. On June 28 and 29, 2021, District of South Dakota United States Magistrate Judge, Veronica L. Duffy, signed a search warrant and court order for the initiation a GPS "ping" [REDACTED]

48. Shortly thereafter, agents began receiving GPS "ping" data from Verizon Wireless which placed [REDACTED]

49. On June 29, 2021, with the aid of electronic surveillance, members of the DEA SFRO and SFADTF conducted physical surveillance in close proximity to [REDACTED]

50. [REDACTED]

[REDACTED]

51.

[REDACTED]

52. On June 30, 2021, SA Purcell and Resident Agent in Charge (RAC) Travis Ocken interviewed [REDACTED]

[REDACTED]

53.

[REDACTED]

54.

[REDACTED]

[REDACTED]

55.

[REDACTED]

56.

[REDACTED]

57.

[REDACTED]

58. On July 1, 2021;

[REDACTED]

[REDACTED]

59. On July 2, 2021, agents reviewed CDRs from telephone number [REDACTED]

60. Agents presented DOJ administrative subpoenas to Verizon Wireless and obtained subscriber information and call detail records (CDRs) pertaining to [REDACTED]

61. On July 2, 2021, District of South Dakota United States Magistrate Judge, Veronica L. Duffy, signed a search warrant and court order for the initiation a GPS "ping" [REDACTED] and "pen register," or trap and trace device [REDACTED].

62. On July 7, 2021, members of the [REDACTED]

63. [REDACTED]

64. [REDACTED]

65. [REDACTED]

66. [REDACTED]

67. [REDACTED]

68. [REDACTED]

69. On July 8, 2021, SFADTF Detective John Matthews conducted an interview of [REDACTED]

70. On July 13, 2021, with the aid of active cell-site location information (CSLI/GPS "Pings") from [REDACTED], members of the DEA SFRO conducted surveillance of [REDACTED]

71. On July 15, 2021, with the aid of active cell-site location information (CSLI/GPS "Pings") from [REDACTED] cellular telephone phone, members of the DEA SFRO and SFADTF conducted surveillance of [REDACTED]  
[REDACTED] Agents observed **THE SUBJECT VEHICLE** park at the [REDACTED]

[REDACTED]

72. Shortly thereafter, [REDACTED]

[REDACTED]

73. CSLI data then placed [REDACTED] cellular telephone in [REDACTED]

[REDACTED]

74. On the same day, agents obtained the [REDACTED]

[REDACTED]

75. Additionally, agents previously obtained data from Verizon Wireless, via DOJ Administrative Subpoena, which revealed telephone number [REDACTED]

[REDACTED]

76. [REDACTED]

[REDACTED]

77. On July 19, 2021, with the aid of active cell-site location information (CSLI/GPS "Pings") from [REDACTED] members of the DEA SFRO conducted spot-check surveillance in Sioux Falls and located **THE SUBJECT VEHICLE** [REDACTED]

[REDACTED]

78. On the same day, United States Postal Inspection Service (USPIS) Inspector Jonathan Grieme provided DEA SA Purcell with information regarding the shipment of USPS parcels from [REDACTED]

[REDACTED]

79. On July 20, 2021, data obtained from the active cell-site location information (CSLI/GPS "Pings") targeting telephone number [REDACTED]

[REDACTED]

80. On July 21, 2021, with the aid of active cell-site location information (CSLI/GPS "Pings") from [REDACTED] members of the DEA SFRO conducted surveillance of [REDACTED] throughout Sioux Falls and surrounding areas. Shortly after [REDACTED], agents observed **THE SUBJECT VEHICLE** make a very brief visit in the area of [REDACTED]

[REDACTED]

81. During the surveillance, [REDACTED]

[REDACTED]

82. On July 22, 2021, at the direction of SA Purcell, [REDACTED]

[REDACTED]

83. [REDACTED]

[REDACTED]

84. Later the same day, agents made contact with [REDACTED]

[REDACTED]

85. [REDACTED]

[REDACTED]

86. On July 29, 2021, TFO Joe Joswiak contacted Iowa Department of Criminal Investigation (DCI) SA Hai Tran and inquired about [REDACTED]

[REDACTED]

[REDACTED]

87. Through interviews, controlled purchases of methamphetamine, search warrants, surveillance, phone toll analysis and other law enforcement activities, [REDACTED] was identified as a high-level participant of the [REDACTED] and is utilizing **THE SUBJECT VEHICLE** to facilitate the movement of controlled substances.

88. Your affiant knows the [REDACTED] is actively conducting counter surveillance for law enforcement based upon prior observations witnessed by your affiant and other assisting agents. Your affiant believes that a tracking device in or on **THE SUBJECT VEHICLE** will aid in the investigation by limiting exposure of investigating agents to potential targets while conducting physical surveillance thus allowing **THE TARGET VEHICLE** to be covertly monitored electronically.

89. Your Affiant believes **THE SUBJECT VEHICLE** is being used to commit offenses listed in this affidavit in the District of South Dakota, Southern Division, and will continue to commit those offenses in the District of South Dakota.

90. Your Affiant believes that a tracking device in or on **THE SUBJECT VEHICLE** will assist in the identification of co-conspirators, where they reside, and identify drug storage locations.

91. Agents will not need to affix the tracking device to the battery system of **THE SUBJECT VEHICLE** or enter **THE SUBJECT VEHICLE** to deploy the tracking device. The tracking device has a self-contained battery and when deployed, the tracking device attaches to the underside or exterior of the target vehicle. The tracking device emits a signal; however, the signal will not transmit voice communications.


92. In order to track the movement of **THE SUBJECT VEHICLE** effectively and to decrease the chance of detection, your Affiant seeks to place a tracking device in or on **THE SUBJECT VEHICLE** while it is in the District of South Dakota. Because **THE SUBJECT VEHICLE** may park in a driveway and on other private property, it may be necessary to enter onto private property and/or move **THE SUBJECT VEHICLE** in order to effect the installation, repair, replacement, and removal of the tracking device. To ensure the safety of the executing officer(s) and to avoid premature disclosure of the investigation, it is requested that the court authorize installation, repair, replacement and removal of the tracking device during both daytime and nighttime hours.

93. In the event that the Court grants this application, there will be periodic monitoring of the tracking device during both daytime and nighttime hours for a period of 45 days following installation of the device. The tracking device may produce signals from inside private garages or other such locations not open to the public or visual surveillance.

94. It is requested that the warrant and accompanying affidavit and application in support thereof, as they reveal an ongoing investigation, be sealed until further order of the Court in order to avoid premature disclosure of the investigation, guard against the flight of fugitives, and better ensure the safety of agents and others, except that copies of the warrant in full or redacted form may be maintained by the United States Attorney's Office, and may be served on Special Agents and other investigative and law enforcement officers, federally deputized state and local law enforcement officers, and other government and contract personnel acting under the supervision of such investigative or law enforcement officers, as necessary to effectuate the warrant.

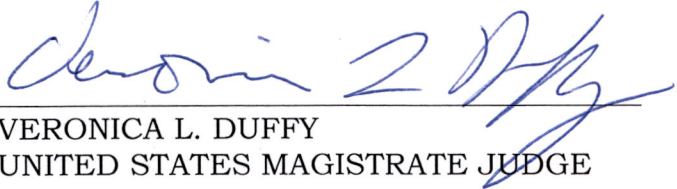
95. In accordance with 18 U.S.C. § 3103a(b) and Federal Rule of Criminal Procedure 41(f)(3), I request that the warrant delay notification of the execution of the warrant for a period not to exceed 6 months after the end of the authorized period of tracking (including any extensions thereof) because there is an ongoing investigation into these crimes, which also includes the crimes of additional co-conspirators, which will very likely not be completed within a timeframe shorter than 6 months after the end of the authorized period of tracking. Immediate notification could result in information being provided to the individuals selling controlled substances, as well as purchasers, and further evidence could then be destroyed. Therefore, I believe there is reasonable cause to believe that providing immediate notification would seriously jeopardize the investigation, and that notification may result in the destruction of or tampering of evidence.

96. I respectfully request that the Court issue a warrant authorizing DEA or their authorized representatives, including but not limited to other law enforcement agents and technicians assisting in the above-described investigation, to install a tracking device in or on **THE SUBJECT VEHICLE** within the District of South Dakota within 14 calendar days of the issuance of the requested warrant, and to repair or replace said tracking device during the authorized monitoring period and to remove said tracking device from **THE SUBJECT VEHICLE** after the use of the tracking device has ended; to surreptitiously enter onto private property, or its curtilage, and/or move **THE SUBJECT VEHICLE** to effect the installation, repair, replacement or removal of the tracking device; and to monitor the tracking device, for a period of 45 days following the issuance of the warrant, including when the tracking device is inside private garages and other locations not open to the public or visual surveillance, both within and outside the District of South Dakota.



Brandon Purcell, Special Agent  
Drug Enforcement Administration

Subscribed and Sworn to me on the 3d day of August, 2021, in Sioux Falls, South Dakota.



VERONICA L. DUFFY  
UNITED STATES MAGISTRATE JUDGE